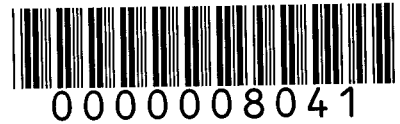


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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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COMMISSIONERS

MARC SPITZER, Chairman
JIM IRVIN
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

UTILITIES DIVISION STAFF,

Complainant,

vs.

LIVEWIRENET OF ARIZONA, LLC; THE PHONE
COMPANY MANAGEMENT GROUP, LLC; THE
PHONE COMPANY OF ARIZONA JOINT
VENTURE dba THE PHONE COMPANY OF
ARIZONA; ON SYSTEMS TECHNOLOGY, LLC,
and its principals, TIM WETHERALD, FRANK
TRICAMO AND DAVID STAFFORD; THE
PHONE COMPANY OF ARIZONA, LLP and its
members,

Respondents.

IN THE MATTER OF THE PHONE COMPANY
OF ARIZONA JOINT VENTURE dba THE PHONE
COMPANY OF ARIZONA'S APPLICATION FOR
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE INTRASTATE
TELECOMMUNICATIONS SERVICE AS A
LOCAL AND LONG DISTANCE RESELLER AND
ALTERNATIVE OPERATOR SERVICE.

IN THE MATTER OF THE APPLICATION OF
THE PHONE COMPANY MANAGEMENT
GROUP, LLC, fka LIVEWIRENET OF ARIZONA,
LLC TO DISCONTINUE LOCAL EXCHANGE
SERVICE.

IN THE MATTER OF THE APPLICATION OF
THE PHONE COMPANY MANAGEMENT
GROUP, LLC FOR CANCELLATION OF
FACILITIES BASED AND RESOLD LOCAL
EXCHANGE SERVICES.

IN THE MATTER OF THE APPLICATION OF
THE PHONE COMPANY MANAGEMENT
GROUP, LLC dba THE PHONE COMPANY FOR
THE CANCELLATION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. T-03889A-02-0796
T-04125A-02-0796

Arizona Corporation Commission

DOCKETED

NOV 17 2003

DOCKETED BY

DOCKET NO. T-04125A-02-0577

DOCKET NO. T-03889A-02-0578

DOCKET NO. T-03889A-03-0152

DOCKET NO. T-03889A-03-0202

PROCEDURAL ORDER

1 BY THE COMMISSION:

2 On October 18, 2002, the Arizona Corporation Commission ("Commission") Utilities
3 Division ("Staff") filed a Complaint and Petition for Relief ("Complaint") against LiveWired of
4 Arizona, LLC ("LiveWire"), The Phone Company Management Group, LLC, ("PCMG"), The Phone
5 Company of Arizona Joint Ventures dba The Phone Company of Arizona, On Systems Technology,
6 LLC ("On Systems"), and its principals, Tim Wetherald, Frank Tricamo, David Stafford Johnson,
7 and The Phone Company of Arizona, LLP ("the LLP") and its members (collectively
8 "Respondents").

9 On September 9, 2003, a Procedural Order was issued, which set a hearing for November 3,
10 2003.

11 On October 24, 2003, a Procedural Order was issued, which set a pre-hearing for October 29,
12 2003. The purpose of the pre-hearing was to address Mr. Wetherald's Motion to Continue, Shughart,
13 Thompson & Kilroy's renewed Motion to Withdraw and David Stafford Johnson's Motion to
14 Dismiss.

15 On October 29, 2003, the pre-hearing was held as scheduled. Staff and the LLP were present
16 and represented by counsel. Mr. Wetherald and Mr. Glaser appeared telephonically. Mr. Novak
17 appeared representing Mr. Glaser and his firm, Shughart, Thompson & Kilroy. Mr. Johnson
18 appeared telephonically. Mr. Tricamo, who was ordered to appear, was not present. During the pre-
19 hearing, Shughart, Thompson & Kilroy's renewed Motion to Withdraw was granted, while Mr.
20 Wetherald's Motion to Continue and David Stafford Johnson's Motion to Dismiss were denied.

21 On November 3, 2003, the hearing was held as scheduled. Staff and the LLP were present
22 and represented by counsel. Mr. Wetherald appeared and represented himself, Livewire and PCMG.
23 Mr. Johnson and Mr. Tricamo appeared and represented themselves. The hearing lasted all day and
24 was scheduled to reconvene on November 5, 2003. However, a medical emergency prohibited the
25 assigned Administrative Law Judge from appearing on November 5, 2003. Therefore, the hearing in
26 this matter was continued.

27 Accordingly, the hearing in this matter should be rescheduled.

28 IT IS THEREFORE ORDERED that the hearing in this matter is continued and shall

1 reconvene on February 2, 2004 at 9:00 a.m. at the Commission's offices, 1200 West Washington,
2 Phoenix, Arizona.

3 IT IS FURTHER ORDERED that the parties shall reserve February 3, 4, and 5, 2004 for
4 additional dates of hearing, if necessary.

5 IT IS FURTHER ORDERED that Shughart, Thompson & Kilroy's renewed Motion to
6 Withdraw is granted and that Mr. Glaser and his firm, Shughart, Thompson & Kilroy, no longer
7 represent LiveWirenet of Arizona, LLC, The Phone Company Management Group, LLC, On
8 Systems Technology, LLC, and its principals, Tim Wetherald, Frank Tricamo, and David Stafford
9 Johnson, in this matter.

10 IT IS FURTHER ORDERED that David Stafford Johnson's Motion to Dismiss is denied.

11 IT IS FURTHER ORDERED that the Ex Parte Rule is still in effect.

12 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend or waive
13 any portion of this Procedural Order by subsequent Procedural Order or by ruling at hearing.

14 Dated this 17 date of November, 2003.



PHILIP J. DION III
ADMINISTRATIVE LAW JUDGE

18
19 Copies of the foregoing mailed/delivered
this 17 day of November, 2003 to:

20 Timothy Berg
21 FENNEMORE CRAIG
22 3003 N. Central Avenue, Ste. 2600
Phoenix, AZ 85003

23 Jeffrey W. Crockett
24 SNELL & WILMER, L.L.P.
25 One Arizona Center
400 E. Van Buren
Phoenix, AZ 85004

26
27 Marty Harper
Shughart Thomson Kilroy Goodwin Raup
28 3636 N. Central Avenue, Ste. 1200
Phoenix, AZ 85012

Mark Brown
Qwest Corporation
3033 N. 3rd Street, Ste. 1009
Phoenix, AZ 85012

David Stafford Johnson
740 Gilpin Street
Denver, CO 80218

Michael L. Glaser
1050 17th Street, Ste. 2300
Denver, CO 80202

Timothy Alan Wetherald
3025 South Parker Road, Ste. 1000
Aurora, CO 80014

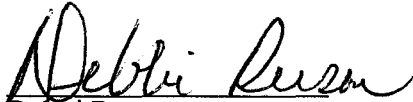
1 USURF American, Inc.
2 6005 Delmonico Drive, Ste. 140
3 Colorado Springs, CO 80919

4 Frank Tricamo
5 6888 South Yukon Court
6 Littleton, CO 80128

7 Christopher Kempley, Chief Counsel
8 Legal Division
9 ARIZONA CORPORATION COMMISSION
10 1200 West Washington Street
11 Phoenix, AZ 85007

12 Ernest Johnson, Director
13 Utilities Division
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
16 Phoenix, AZ 85007

17 ARIZONA REPORTING SERVICE, INC.
18 2627 N. Third Street, Suite Three
19 Phoenix, Arizona 85004-1104

20 By: 
21 Debbi Person
22 Secretary to Philip J. Dion III
23
24
25
26
27
28